

It was brought to my attention that the file for the September 13, 2011 minutes posted on September 9, 2011 at 09:56:18 am was corrupt. These minutes have been reposted.

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes September 13, 2011**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, September 13, 2011 at 1:00

P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Jackson, Sylvester, Burlingame and Richard. Commissioners Jasparro, Walker, Blackburn and Pearson were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.

The following cases were heard.

APPEAL #110065: Administrator Teresa Choporian, for the property located at 104 Clay Street, Central Falls. Deputy State Fire Marshal Albert Heroux appeared for the State Fire Marshal's Office and Assistant Deputy State fire Marshal Michael Andrews appeared for the Central Falls Fire Marshal's Office. Chairman Newbrook recused himself from consideration of this case. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to confirm that

the Applicant has achieved equivalence with NFPA 101A for an existing condition at that facility, and directs that the remainder of work in this facility shall be completed at the direction and to the satisfaction of the State Fire Marshal's Office in accordance with the Applicant's plan of action. The motion passed over the objection of Commissioner Burlingame.

APPEAL #080195: Mr. Brian Bibeault, for the property located at 15 Ward Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. The Applicant failed to appear, and the Marshal advised the Board that this facility has been sold. Commissioner Burlingame made a motion, seconded by Commissioner Richard, to close this file. The motion was unanimous.

APPEAL #080337: Mr. Victor Allen, for the property located at 224 Prospect Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Vice Chairperson Filippi, to hold this case is held over to November 1, 2011. The motion was unanimous.

APPEAL #080343: Ms. Mary Jane LeBrun, for the property located at 427 Wood Avenue in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Richard, to request that the Applicant's attorney contact the City Solicitor to determine the legal

ownership of this facility and provide the Board with the status of the legalities of the case. If further relief needs to be sought for this facility, the Board should be contacted by December 31, 2011 or this file will be closed. The motion passed over the objection of Commissioner Burlingame.

APPEAL #080315: Mr. Kham Inthisone, for the property located at 395 Grove Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Richard, to move this case to November 1, 2011 to give the Applicant time to review the inspection report with his translator and compose a plan of action for the Board. The motion was unanimous.

APPEAL #080289: Polish National Catholic Church of Our Savior, for the property located at 500 Smithfield Road in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Vice Chairman Filippi made a motion, seconded by Commissioner Burlingame, to grant the Applicant the following relief. The Applicant is granted relief from providing this facility with a municipal alarm system, provided that he maintains a local fire alarm system, that the occupancy falls below 300 people, and that he does not maintain dual occupancy of the two floors. The Applicant is directed to provide the Woonsocket Fire Marshal's Office with a plan of action for this facility within thirty (30) days of the date of the decision and an additional 120 days in which to implement that plan. The Woonsocket Fire

Marshal's Office is granted the authority to extend either or both of the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #080285: Banner Doors Corporation, for the property located at 550 Pond Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Vice Chairperson Filippi, to grant the Applicant a time variance of thirty (30) days in which to provide the Woonsocket Fire Marshal with a plan of action for the correction of all outstanding deficiencies within this facility and an additional 120 days in which to implement that plan. The Woonsocket Fire Marshal's Office is authorized to extend either or both of the above time lines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #080260: For the property located at 179-181 Progresso Avenue in Woonsocket, the Applicant failed to appear. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. The Woonsocket Fire Marshal indicated to the Board that this facility has been sold. Commissioner Richard made a motion, seconded by Commissioner Burlingame, to close this file. The motion was unanimous.

APPEAL #080241: Mr. Walter Burt, for the property located at 118 Seventh Avenue, Woonsocket. ADSFM Michael Morin appeared for

the Woonsocket Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of ninety (90) days in which to reduce the occupancy of this facility to three units, with the Woonsocket Fire Marshal's Office having authority to extend that time for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #080194: Ms. Maria Dias, for the property located at 366-368 Providence Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Commissioner Richard, to grant the Applicant the following relief. The Applicant is directed to disconnect the commercial cooking devices in the first floor restaurant portion of this facility within thirty (30) days. The Applicant is further directed to present a plan of action for the correction of all outstanding deficiencies to the Woonsocket Fire Marshal's Office within thirty (30) days and to implement that plan of action within 120 days of the plan's approval. The Woonsocket Fire Marshal's Office has the authority to extend the above time lines for good faith efforts being shown by the Applicant. The motion was unanimous.

Old Business: To the request for interpretation "Is a domestically supplied sprinkler head(s), installed in accordance with 101:9.7.1.2 for the purpose of protection from hazards as defined in Section 8.7, required to be provided with a waterflow alarm?" Commissioner Dias made a motion, seconded by Commissioner Richard, to answer that

question “No”. However, in that instance, the Board will generally mandate that a smoke detector be installed in the area of the cited sprinkler head.

Old Business: Status report on MHRH group home program: Commissioner Sylvester made a motion, seconded by Commissioner Richard, to approve the plan of action presented by the Executive Director which is to close the three hundred twenty-seven (327) cases with file numbers 060250 through 060577 and establish a standing subcommittee to work on the development of a final comprehensive plan of action including realistic time extensions determined to be necessary for the completion of this on-going project. If in the future further relief is determined to be necessary for any of the above facilities, the Board may be petitioned for further relief via the standard application process.

Old Business: Executive Director Coffey provided the Board with an overview of the progress report for multiple building on the campus of URI. The recommendations of the State Fire Marshal’s Office in conjunction with Hughes Associates will be the subject of a formal fire Board vote on September 27, 2011.

Respectfully submitted

Carol Marsella